



DAN MORALES  
ATTORNEY GENERAL

Office of the Attorney General  
State of Texas

January 18, 1991

Mr. James E. Saxton, Jr.  
Chairman, State Board of Insurance  
1110 San Jacinto  
Austin, Texas 78701-1998

OR91-035

Dear Mr. Saxton:

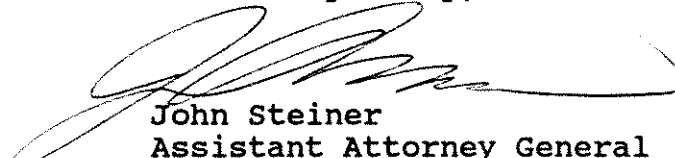
You ask whether a draft internal audit report of the State Board of Insurance and associated work papers are subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was in response to a request for more information in letter ruling OR90-567, and was assigned ID# 11289.

We have considered the exception you claimed, specifically section 3(a)(11), and have reviewed the documents at issue. Based on representations in your letter of December 14, 1990, it appears that the factual material cannot reasonably be redacted from the draft. Therefore, a previous determination of this office, Open Records Decision No. 547 (1990), a copy of which is enclosed, resolves your request. For this reason, you may withhold the requested information. However, we reach no decision as to whether factual information in the draft, if requested separately, may be withheld. Such determinations must be made individually. See Attorney General Opinion H-90 (1973); Open Records Decision No. 321 (1982).

This decision is also dispositive of your request dated December 17, 1990, in reference to the same information.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-035.

Yours very truly,



John Steiner  
Assistant Attorney General  
Opinion Committee

JS/le

Ref.: ID# 11289, 11305

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Enclosure: Open Records Decision No. 547

cc: Karen J. Cox - Compliance 016-1  
Legal Counsel  
State Board of Insurance